

SUMMARY ANALYSIS OF AMENDED BILL

Author: Dababneh Analyst: Janet Jennings Bill Number: AB 160
 March 16 & 19, 2015,
 Related Bills: See Prior Analysis Telephone: 845-3495 Amended Dates: April 9, 2015
 Attorney: Bruce Langston Sponsor _____

SUBJECT:	Criminal Profiteering/Tax Fraud
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SUMMARY

This bill would modify provisions of the California Control of Profits of Organized Crime Act.

This analysis only addresses the provisions of the bill that impact the department’s programs and operations.

RECOMMENDATION

No position.

SUMMARY OF AMENDMENTS

The March 16, 2015, March 19, 2015, and April 9, 2015, amendments made revisions to sections of the Revenue and Taxation Code that are administered by the Board of Equalization. The March 19, 2015, amendments removed language modifying the distribution of forfeited funds, under the Penal Code and revised the definition of organized crime. The April 9, 2015, amendments add to the definition of organized crime. Except for the “This Bill” section, the remainder of the department’s analysis of the bill as introduced January 21, 2015, still applies.

THIS BILL

This bill would do all of the following:

Add the following offenses to the definition of a criminal profiteering activity:

- Piracy (Section 653w of the Penal Code).
- Those relating to insurance fraud, as specified.¹
- Those relating to tax fraud, as specified.²

¹ Sections 2106, 2018, 2109, 2110, 2110.3, 2110.5, 2110.7, and 2117 of the Unemployment Insurance Code.

² Sections 6452, 6455, 7152, 7153.5, 19705, 19706, 19708, 19721, 30471, 30472, 30480, and 60707 of the Revenue and Taxation Code; Sections 2117.5, 2118, and 2118.5 of the Unemployment Insurance Code.

Board Position:	Legislative Director	Date
_____ S _____ NA _____ X _____ NP	Gail Hall	4/16/15
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Add to the definition of “organized crime” violations such as pimping and pandering, counterfeiting of a registered mark, the piracy of a recording and audiovisual work, and the illegal activities of embezzlement, securities fraud, tax fraud and insurance fraud, grand theft, money laundering, and forgery.

SUPPORT/OPPOSITION

Support: None on file.

Opposition: None on file.

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